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SENATE BILL 559

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Mary Jane M. Garcia

AN ACT

RELATING TO ANIMAL WELFARE; CREATING THE COMMISSION ON THE WELFARE OF ANIMALS; SETTING FORTH POWERS AND DUTIES OF THE COMMISSION; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE.--This act may be cited as the "Commission on the Welfare of Animals Act".

Section 2. DEFINITIONS.--As used in the Commission on the Welfare of Animals Act:

A. "animal" means a domestic animal:

(1) not otherwise defined in statute as livestock or a game animal; or

(2) that is not an exotic wild animal kept in captivity; and

B. "commission" means the commission on the welfare

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1 of animals.

2 Section 3. CREATION OF COMMISSION--TERMS--POWERS--
3 DUTIES.--

4 A. The "commission on the welfare of animals" is
5 created and administratively attached to the regulation and
6 licensing department.

7 B. The commission consists of nine members who
8 shall be appointed by the governor. Members of the first
9 commission shall be appointed for staggered terms, in the
10 following manner:

11 (1) three members shall be appointed to terms
12 ending on December 31, 2008;

13 (2) three members shall be appointed to terms
14 ending on December 31, 2009; and

15 (3) the remaining three members shall be
16 appointed to terms ending on December 31, 2010.

17 C. Following the first appointments, all terms
18 shall be for three years beginning on January 1 following the
19 year in which the prior term ends. Vacancies of incomplete
20 terms shall be filled by appointment by the governor for the
21 remainder of the term. A member may serve two full terms, not
22 including years served to complete a partial term for which the
23 member was appointed to fill a vacancy. A member shall serve
24 until the member's replacement is appointed or until the member
25 submits a letter of resignation to the governor.

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1 D. A majority of the commission's members
2 constitutes a quorum for the transaction of business. The
3 governor shall annually designate the chair and vice chair of
4 the commission from among the members.

5 E. The commission shall meet at least six times per
6 year to complete its duties.

7 F. Members of the commission shall be paid per diem
8 and mileage pursuant to the Per Diem and Mileage Act and shall
9 receive no other compensation, perquisite or allowance for each
10 day spent in the discharge of their duties.

11 Section 4. FEDERAL PROGRAMS--DESIGNATED AGENCY--
12 AGREEMENTS AND CONTRACTS WITH THE FEDERAL GOVERNMENT
13 AUTHORIZED.--

14 A. The commission is designated as the agency to
15 coordinate, oversee, implement, operate or contract for the
16 operation of federal programs related to the welfare of animals
17 except those specifically designated by law to another state
18 agency.

19 B. The commission may enter into agreements and
20 contracts with agencies of the federal government to allow the
21 state to use federal funding related to the welfare of animals.

22 Section 5. COMMISSION--POWERS--DUTIES.--

23 A. The commission shall:

24 (1) stimulate and encourage throughout the
25 state the study and review of the welfare of animals in New

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1 Mexico and develop and implement programs aimed at improving
2 animal welfare;

3 (2) recommend methods of improving conditions
4 at both public and private animal shelters and sanctuaries in
5 the state and develop programs to enable shelters and
6 sanctuaries to provide the highest level of animal welfare;

7 (3) promote methods of limiting the number of
8 unwanted, abandoned, stray, feral or otherwise homeless
9 domestic animals in the state;

10 (4) cooperate with and assist public and
11 private entities dealing with the welfare of animals; and

12 (5) conduct periodic conferences throughout
13 the state to promote the welfare of animals and to acquire
14 information about the needs and challenges of animals.

15 B. The commission may:

16 (1) act as a clearinghouse for all activities
17 and information involving the welfare of animals; and

18 (2) receive on behalf of the state gifts,
19 grants, donations or bequests from any source to be used in
20 carrying out the duties of the commission.

21 Section 6. APPROPRIATION.--Eighty thousand dollars
22 (\$80,000) is appropriated from the general fund to the
23 regulation and licensing department for expenditure in fiscal
24 year 2008 to administer the Commission on the Welfare of
25 Animals Act and to fund per diem and mileage for members of the

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1 commission on the welfare of animals. Any unexpended or
2 unencumbered balance remaining at the end of fiscal year 2008
3 shall revert to the general fund.

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